

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED  
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2005 MAR 25 P 12:12

HEATHER KIERNAN,  
Plaintiff,

V

ARMORED MOTOR SERVICE  
OF AMERICA, INC. and  
FRANCESCO CIAMBRIELLO,  
Defendants.

Civil Action No: 04-10313-MLW

U.S. DISTRICT COURT  
DISTRICT OF MASS

**MOTION OF DEFENDANT'S COUNSEL FOR  
PROTECTIVE ORDER AS TO NOTICE OF DEPOSITION;  
RULE 9A STATEMENT OF REASONS; RULE 9A REQUEST FOR HEARING**

Pursuant to Fed. R. Civ. P. 26(c), David R. Ardito hereby moves this Honorable Court to enter a protective order as to his Notice of Deposition currently scheduled for April 8, 2005 at 10:00 a.m.

**RULE 9A STATEMENT OF REASONS**

As grounds for this Motion, David R. Ardito states (1) He was Counsel of Record for Defendant, Francesco Ciambriello in the Bristol County Superior Court Criminal Matter and (2) He is Counsel of Record for the Defendant, Francesco Ciambriello in the matter at hand and (3) There is a Client/Attorney Privilege.

**RULE 9A REQUEST FOR HEARING**

David R. Ardito, counsel for the Defendant, Francesco Ciambriello, respectfully requests that, unless the Court sees fit to allow its motion sua sponte, the Court permit him to be heard on **March 31, 2005 at 9:00 a.m.** or as soon thereafter as the Court's calendar will permit.

Dated: March 24, 2005


Respectfully submitted,  
David R. Ardito,



David R. Ardito, Esq.  
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**Certificate of Service**

I, David R. Ardito, hereby certify that I have served the foregoing Motion to all interested parties by mailing first-class, postage pre-paid on this 24<sup>th</sup> day of March 2005 as follows:



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Cutler & McLeod  
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